

Message Text

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EXDIS -- STADIS //////////////////////////////////////
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SUBJECT: LOS: ECUADOREAN TEXT OF TUNA ARTICLE
REF: GENEVA 1960

FOR USDEL LOS

FOLLOWING IS OFFICIAL TRANSLATION PREPARED BY DEPARTMENT
LANGUAGE SERVICES OF TEXT CONTAINED REFTEL:

BEGIN TEXT:

1. WITHIN A LIMIT THAT SHALL NOT EXCEED 200 MILES, THE
COASTAL STATE SHALL REGULATE THE FISHING OF TUNA AND THE
OTHER SPECIES MENTIONED IN ANNEX A.

BEYOND THAT LIMIT FISHING OF THE SAID SPECIES SHALL BE REGU-
LATED BY THE REGIONAL FISHERY AUTHORITY OR ORGANIZATIONS, AS
THE CASE MAY BE.

2. FOR PURPOSES OF THE CONSERVATION AND PROTECTION OF THE
SPECIES LISTED IN ANNEX A, THE COASTAL STATES OF EACH REGION
SHALL COOPERATE IN THE ESTABLISHMENT OF AN ADEQUATE REGIONAL

FISHERY ORGANIZATION.

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3. ON THE BASIS OF AVAILABLE SCIENTIFIC EVIDENCE, THE

REGIONAL FISHERY ORGANIZATION SHALL PREPARE RECOMMENDATIONS CONCERNING THE MAXIMUM PERMISSIBLE CATCH AND OTHER MEASURES OF CONSERVATION WITHIN THE REGION WITH RESPECT TO THE SPECIES SPECIFIED IN ANNEX A.

4. THE COASTAL STATES SHALL TAKE INTO ACCOUNT THE RECOMMENDATIONS OF THE ORGANIZATION WITH REGARD TO CONSERVATION MEASURES AND THE ESTABLISHMENT OF THE CORRESPONDING FISHING PERMITS AND RIGHTS FOR FOREIGN-FLAG VESSELS, WITH A VIEW TOWARD ACHIEVING UNIFORMITY WITHIN THE REGION. THEY SHALL LIKEWISE TAKE INTO ACCOUNT THE RECOMMENDATIONS OF THE ORGANIZATION WITH REGARD TO THE ADOPTION OF A UNIFORM SYSTEM OF PENALTIES FOR VIOLATION OF FISHING LAWS AND REGULATIONS BY FOREIGN-FLAG VESSELS.

5. THE COASTAL STATES SHALL REQUEST THE COOPERATION OF THE ORGANIZATION IN THE PREPARATION OF STANDARDS THAT WILL SEEK MAXIMUM UTILIZATION OF THE RESOURCES REFERRED TO IN ANNEX A, TAKING INTO ACCOUNT THE EFFECTS ON OTHER RELATED OR DEPENDENT SPECIES.

6. NOTHING IN THIS ARTICLE SHALL LIMIT THE RIGHT OF THE COASTAL STATE TO:

A. RESERVE FISHING AREAS IN FAVOR OF ITS NATIONALS;

B. CONCLUDE PARTNERSHIP OR OTHER KINDS OF CONTRACTS WITH FOREIGN-FLAG VESSELS;

C. PROHIBIT THE EXPLOITATION OF MARINE MAMMALS.

7. WITHIN A LIMIT OF NOT MORE THAN 200 MILES, THE COASTAL STATE SHALL BE RESPONSIBLE FOR ADOPTING THE NECESSARY MEASURES TO ENFORCE COMPLIANCE WITH ITS PROVISIONS, INCLUDING BOARDING, INSPECTION, DETENTION, AND COURT PROCEEDINGS. SUCH MEASURES MUST NOT BE DISCRIMINATORY. DETAINED VESSELS SHALL BE IN A POSITION TO SAIL FOLLOWING THE POSTING OF A REASONABLE BOND AND OTHER GUARANTIES AT THE TIME OF COMPLIANCE WITH THE PERTINENT LEGAL PROVISIONS. IN CONFORMITY WITH THE PROVISIONS OF PARAGRAPH 4, THE COASTAL

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STATES MAY AGREE THAT VIOLATIONS OF THE FISHING REGULATIONS SHALL NOT BE PENALIZED BY IMPRISONMENT OF THE CAPTAINS OR CREWS OF THE VESSELS.

8. ACTING THROUGH THE ORGANIZATION, THE STATES SHALL AGREE ON EFFECTIVE MEASURES FOR ENFORCEMENT OF THE REGULATIONS APPLICABLE BEYOND THE LIMIT REFERRED TO IN PARA 1. END QTE. INGERSOLL

NOTE BY OC/T: "EXDIS - STADIS" CAPTIONS ADDED PER MR TANNER, S/S-O.

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